

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LUMINOR CONSULTING CORP.;)	
DLC ELITE LENDING CORPORATION;)	
HEARD CONCRETE CONSTRUCTION)	
CORP.; THOMAS DAVIS; and)	
KEVIN HARRISON,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:22-cv-00555
)	Judge Eli J. Richardson
DR. ADEL ELMESSIRY and)	Magistrate Judge Frensley
WEBDBTECH, INC.,)	
)	JURY DEMAND
Defendants/Counter-plaintiff,)	
)	
v.)	
)	
LUMINOR CONSULTING CORP.,)	
EMTECH, HEARD CONCRETE)	
CONSTRUCTION CORP., ANISH PABARI,)	
ROB ABENANTE, TOM DAVIS, and)	
JEFFREY HOU YIN HO,)	
)	

THOMAS DAVIS'S AND ANISH PABARI'S MOTION TO DISMISS
DR. ADEL ELMESSIRY'S COUNTERCLAIM

Counterclaim Defendants Thomas Davis and Anish Pabari, (collectively, the “Counter-defendants”), by counsel, in accordance with Federal Rule Civil Procedure 12(b)(6), hereby move this Honorable Court to dismiss the Defendant Dr. Adel Elmessiry’s Counterclaim. The Counter-defendants incorporate by reference their Memorandum of Law in support of this Motion, filed contemporaneously herewith. Accordingly, the Counter-defendants ask that this Honorable Court enter an Order granting this Motion and dismissing the Counterclaim.

Respectfully submitted,

/s/ Charles H. Williamson

Charles H. Williamson (TN BPR 018287)
David J. Zeitlin (TN BPR 037664)

WALLER LANSDEN DORTCH & DAVIS, LLP
511 Union Street, Suite 2700
Nashville, Tennessee 37219
Telephone: (615) 244-6380
Facsimile: (615) 244-6804
Email: charley.williamson@wallerlaw.com
david.zeitlin@wallerlaw.com

Of counsel:

Christopher D. Davis (VSB No. 74809)
(Admitted *Pro Hac Vice*)
Destinee B. Byers (VSB No. 94691)
(Admitted *Pro Hac Vice*)
DAVIS LAW, PLC
555 Belaire Ave., Ste. 340
Chesapeake, Virginia 23320
Telephone: (757) 410-2293
Facsimile: (757) 257-8614
Email: chris@davislawplc.com
destinee@davislawplc.com

*Attorneys for Luminor Consulting Corporation;
DLC Elite Lending Corporation; Heard Concrete
Construction Corp.; Thomas Davis; Kevin Harrison;
Anish Pabari; and, Jeff Hou Yin Ho*

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Thomas Anthony Swafford BPR #17578
Tara L. Swafford BPR #17577
Elizabeth G. Hart, BPR #30070
THE SWAFFORD LAW FIRM, PLLC
321 Billingsly Court, Suite 19
Franklin, Tennessee 37067
Tel: (615) 599-8406
Fax: (615) 807-2355
Email: tony@swaffordlawfirm.com
tara@swaffordlawfirm.com
betsy@swaffordlawfirm.com

Counsel for Defendants and Counter-Plaintiffs

s/ Charles H. Williamson
Charles H. Williamson